

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ROSS AARON,

)

)

Petitioner

)

)

v.

)

)

Case No. 2:09-CV-00448-VEH-HGD

LEON FORNISS, WARDEN, and

)

THE ATTORNEY GENERAL

)

OF THE STATE OF ALABAMA,

)

)

Respondents

)

FINAL JUDGMENT

On March 12, 2009, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. On March 23, 2009, petitioner filed objections to the magistrate judge's report and recommendation.

After careful consideration of the record in this case, the magistrate judge's report and recommendation and the petitioner's objections thereto, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge and it is, therefore,

ORDERED, ADJUDGED and DECREED that the petition for writ of habeas corpus in this action be and the same hereby is **DISMISSED** pursuant to 28 U.S.C. § 2244(b) and for failure to comply with 28 U.S.C. § 2244(b)(3)(A). In the alternative, the petition for writ of habeas corpus is **DENIED** as untimely under 28 U.S.C. § 2244(d).

DONE this the 1st day of April, 2009.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", is written over a horizontal line.

VIRGINIA EMERSON HOPKINS
United States District Judge